

110TH CONGRESS
2D SESSION

H. R. 1084

AN ACT

To amend the Foreign Assistance Act of 1961, the State Department Basic Authorities Act of 1956, and the Foreign Service Act of 1980 to build operational readiness in civilian agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Reconstruction and
3 Stabilization Civilian Management Act of 2008”.

4 **SEC. 2. FINDINGS.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) In June 2004, the Office of the Coordinator
7 for Reconstruction and Stabilization (referred to as
8 the “Coordinator”) was established in the Depart-
9 ment of State with the mandate to lead, coordinate,
10 and institutionalize United States Government civil-
11 ian capacity to prevent or prepare for post-conflict
12 situations and help reconstruct and stabilize a coun-
13 try or region that is at risk of, in, or is in transition
14 from, conflict or civil strife.

15 (2) In December 2005, the Coordinator’s man-
16 date was reaffirmed by the National Security Presi-
17 dential Directive 44, which instructed the Secretary
18 of State, and at the Secretary’s direction, the Coor-
19 dinator, to coordinate and lead integrated United
20 States Government efforts, involving all United
21 States departments and agencies with relevant capa-
22 bilities, to prepare, plan for, and conduct reconstruc-
23 tion and stabilization operations.

24 (3) National Security Presidential Directive 44
25 assigns to the Secretary, with the Coordinator’s as-
26 sistance, the lead role to develop reconstruction and

1 stabilization strategies, ensure civilian interagency
2 program and policy coordination, coordinate inter-
3 agency processes to identify countries at risk of in-
4 stability, provide decision-makers with detailed op-
5 tions for an integrated United States Government
6 response in connection with reconstruction and sta-
7 bilization operations, and carry out a wide range of
8 other actions, including the development of a civilian
9 surge capacity to meet reconstruction and stabiliza-
10 tion emergencies. The Secretary and the Coordinator
11 are also charged with coordinating with the Depart-
12 ment of Defense on reconstruction and stabilization
13 responses, and integrating planning and imple-
14 menting procedures.

15 (4) The Department of Defense issued Direc-
16 tive 3000.05, which establishes that stability oper-
17 ations are a core United States military mission that
18 the Department of Defense must be prepared to con-
19 duct and support, provides guidance on stability op-
20 erations that will evolve over time, and assigns re-
21 sponsibilities within the Department of Defense for
22 planning, training, and preparing to conduct and
23 support stability operations.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the United
3 States Agency for International Development.

4 (2) AGENCY.—The term “agency” means any
5 entity included in chapter 1 of title 5, United States
6 Code.

7 (3) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means the Committee on Foreign Affairs of
10 the House of Representatives and the Committee on
11 Foreign Relations of the Senate.

12 (4) DEPARTMENT.—Except as otherwise pro-
13 vided in this Act, the term “Department” means the
14 Department of State.

15 (5) PERSONNEL.—The term “personnel” means
16 individuals serving in any service described in sec-
17 tion 2101 of title 5, United States Code, other than
18 in the legislative or judicial branch.

19 (6) SECRETARY.—The term “Secretary” means
20 the Secretary of State.

21 **SEC. 4. AUTHORITY TO PROVIDE ASSISTANCE FOR RECON-**
22 **STRUCTION AND STABILIZATION CRISES.**

23 Chapter 1 of part III of the Foreign Assistance Act
24 of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting
25 after section 617 the following new section:

1 **“SEC. 618. ASSISTANCE FOR A RECONSTRUCTION AND STA-**
2 **BILIZATION CRISIS.**

3 “(a) ASSISTANCE.—

4 “(1) IN GENERAL.—If the President determines
5 that it is in the national security interests of the
6 United States for United States civilian agencies or
7 non-Federal employees to assist in reconstructing
8 and stabilizing a country or region that is at risk of,
9 in, or is in transition from, conflict or civil strife, the
10 President may, in accordance with the provisions set
11 forth in section 614(a)(3), subject to paragraph (2)
12 of this subsection but notwithstanding any other
13 provision of law, and on such terms and conditions
14 as the President may determine, furnish assistance
15 to such country or region for reconstruction or sta-
16 bilization using funds under paragraph (3).

17 “(2) PRE-NOTIFICATION REQUIREMENT.—The
18 President may not furnish assistance pursuant para-
19 graph (1) until five days (excepting Saturdays, Sun-
20 days, and legal public holidays) after the require-
21 ments under section 614(a)(3) of this Act are car-
22 ried out.

23 “(3) FUNDS.—The funds referred to in para-
24 graph (1) are funds made available under any other
25 provision of law and under other provisions of this
26 Act, and transferred or reprogrammed for purposes

1 of this section, and such transfer or reprogramming
2 shall be subject to the procedures applicable to a no-
3 tification under section 634A of this Act.

4 “(b) LIMITATION.—The authority contained in this
5 section may be exercised only during fiscal years 2008,
6 2009, and 2010, except that the authority may not be ex-
7 ercised to furnish more than \$100,000,000 in any such
8 fiscal year.”.

9 **SEC. 5. RECONSTRUCTION AND STABILIZATION.**

10 Title I of the State Department Basic Authorities Act
11 of 1956 (22 U.S.C. 2651a et seq.) is amended by adding
12 at the end the following new section:

13 **“SEC. 62. RECONSTRUCTION AND STABILIZATION.**

14 “(a) OFFICE OF THE COORDINATOR FOR RECON-
15 STRUCTION AND STABILIZATION.—

16 “(1) ESTABLISHMENT.—There is established
17 within the Department of State the Office of the Co-
18 ordinator for Reconstruction and Stabilization.

19 “(2) COORDINATOR FOR RECONSTRUCTION AND
20 STABILIZATION.—The head of the Office shall be the
21 Coordinator for Reconstruction and Stabilization,
22 who shall be appointed by the President, by and
23 with the advice and consent of the Senate. The Co-
24 ordinator shall report directly to the Secretary.

1 “(3) FUNCTIONS.—The functions of the Office
2 of the Coordinator for Reconstruction and Stabiliza-
3 tion shall include the following:

4 “(A) Monitoring, in coordination with rel-
5 evant bureaus and offices of the Department of
6 State and the United States Agency for Inter-
7 national Development (USAID), political and
8 economic instability worldwide to anticipate the
9 need for mobilizing United States and inter-
10 national assistance for the reconstruction and
11 stabilization of a country or region that is at
12 risk of, in, or are in transition from, conflict or
13 civil strife.

14 “(B) Assessing the various types of recon-
15 struction and stabilization crises that could
16 occur and cataloging and monitoring the non-
17 military resources and capabilities of agencies
18 (as such term is defined in section 3 of the Re-
19 construction and Stabilization Civilian Manage-
20 ment Act of 2008) that are available to address
21 such crises.

22 “(C) Planning, in conjunction with
23 USAID, to address requirements, such as de-
24 mobilization, disarmament, rebuilding of civil
25 society, policing, human rights monitoring, and

1 public information, that commonly arise in re-
2 construction and stabilization crises.

3 “(D) Coordinating with relevant agencies
4 to develop interagency contingency plans and
5 procedures to mobilize and deploy civilian per-
6 sonnel and conduct reconstruction and stabiliza-
7 tion operations to address the various types of
8 such crises.

9 “(E) Entering into appropriate arrange-
10 ments with agencies to carry out activities
11 under this section and the Reconstruction and
12 Stabilization Civilian Management Act of 2008.

13 “(F) Identifying personnel in State and
14 local governments and in the private sector who
15 are available to participate in the Civilian Re-
16 serve Corps established under subsection (b) or
17 to otherwise participate in or contribute to re-
18 construction and stabilization activities.

19 “(G) Taking steps to ensure that training
20 and education of civilian personnel to perform
21 such reconstruction and stabilization activities
22 is adequate and is carried out, as appropriate,
23 with other agencies involved with stabilization
24 operations.

1 “(H) Taking steps to ensure that plans for
2 United States reconstruction and stabilization
3 operations are coordinated with and com-
4 plementary to reconstruction and stabilization
5 activities of other governments and inter-
6 national and nongovernmental organizations, to
7 improve effectiveness and avoid duplication.

8 “(I) Maintaining the capacity to field on
9 short notice an evaluation team consisting of
10 personnel from all relevant agencies to under-
11 take on-site needs assessment.

12 “(b) RESPONSE READINESS CORPS.—

13 “(1) RESPONSE READINESS CORPS.—The Sec-
14 retary, in consultation with the Administrator of the
15 United States Agency for International Development
16 and the heads of other appropriate agencies of the
17 United States Government, may establish and main-
18 tain a Response Readiness Corps (referred to in this
19 section as the ‘Corps’) to provide assistance in sup-
20 port of reconstruction and stabilization operations in
21 countries or regions that are at risk of, in, or are
22 in transition from, conflict or civil strife. The Corps
23 shall be composed of active and standby components
24 consisting of United States Government personnel,
25 including employees of the Department of State, the

1 United States Agency for International Develop-
2 ment, and other agencies who are recruited and
3 trained (and employed in the case of the active com-
4 ponent) to provide such assistance when deployed to
5 do so by the Secretary to support the purposes of
6 this Act.

7 “(2) CIVILIAN RESERVE CORPS.—The Sec-
8 retary, in consultation with the Administrator of the
9 United States Agency for International Develop-
10 ment, may establish a Civilian Reserve Corps for
11 which purpose the Secretary is authorized to employ
12 and train individuals who have the skills necessary
13 for carrying out reconstruction and stabilization ac-
14 tivities, and who have volunteered for that purpose.
15 The Secretary may deploy members of the Civilian
16 Reserve Corps pursuant to a determination by the
17 President under section 618 of the Foreign Assist-
18 ance Act of 1961.

19 “(3) MITIGATION OF DOMESTIC IMPACT.—The
20 establishment and deployment of any Civilian Re-
21 serve Corps shall be undertaken in a manner that
22 will avoid substantively impairing the capacity and
23 readiness of any State and local governments from
24 which Civilian Reserve Corps personnel may be
25 drawn.

1 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary of State
3 such sums as may be necessary for fiscal years 2007
4 through 2010 for the Office and to support, educate, train,
5 maintain, and deploy a Response Readiness Corps and a
6 Civilian Reserve Corps.

7 “(d) EXISTING TRAINING AND EDUCATION PRO-
8 GRAMS.—The Secretary shall ensure that personnel of the
9 Department, and, in coordination with the Administrator
10 of USAID, that personnel of USAID, make use of the rel-
11 evant existing training and education programs offered
12 within the Government, such as those at the Center for
13 Stabilization and Reconstruction Studies at the Naval
14 Postgraduate School and the Interagency Training, Edu-
15 cation, and After Action Review Program at the National
16 Defense University.”.

17 **SEC. 6. AUTHORITIES RELATED TO PERSONNEL.**

18 (a) EXTENSION OF CERTAIN FOREIGN SERVICE
19 BENEFITS.—The Secretary, or the head of any agency
20 with respect to personnel of that agency, may extend to
21 any individuals assigned, detailed, or deployed to carry out
22 reconstruction and stabilization activities pursuant to sec-
23 tion 62 of the State Department Basic Authorities Act
24 of 1956 (as added by section 5 of this Act), the benefits
25 or privileges set forth in sections 413, 704, and 901 of

1 the Foreign Service Act of 1980 (22 U.S.C. 3973, 22
2 U.S.C. 4024, and 22 U.S.C. 4081) to the same extent and
3 manner that such benefits and privileges are extended to
4 members of the Foreign Service.

5 (b) AUTHORITY REGARDING DETAILS.—The Sec-
6 retary is authorized to accept details or assignments of
7 any personnel, and any employee of a State or local gov-
8 ernment, on a reimbursable or nonreimbursable basis for
9 the purpose of carrying out this Act, and the head of any
10 agency is authorized to detail or assign personnel of such
11 agency on a reimbursable or nonreimbursable basis to the
12 Department of State for purposes of section 62 of the
13 State Department Basic Authorities Act of 1956, as added
14 by section 5 of this Act.

15 **SEC. 7. RECONSTRUCTION AND STABILIZATION STRATEGY.**

16 (a) IN GENERAL.—The Secretary of State, in con-
17 sultation with the Administrator of the United States
18 Agency for International Development, shall develop an
19 interagency strategy to respond to reconstruction and sta-
20 bilization operations.

21 (b) CONTENTS.—The strategy required under sub-
22 section (a) shall include the following:

23 (1) Identification of and efforts to improve the
24 skills sets needed to respond to and support recon-
25 struction and stabilization operations in countries or

1 regions that are at risk of, in, or are in transition
2 from, conflict or civil strife.

3 (2) Identification of specific agencies that can
4 adequately satisfy the skills sets referred to in para-
5 graph (1).

6 (3) Efforts to increase training of Federal civil-
7 ian personnel to carry out reconstruction and sta-
8 bilization activities.

9 (4) Efforts to develop a database of proven and
10 best practices based on previous reconstruction and
11 stabilization operations.

12 (5) A plan to coordinate the activities of agen-
13 cies involved in reconstruction and stabilization oper-
14 ations.

15 **SEC. 8. ANNUAL REPORTS TO CONGRESS.**

16 Not later than 180 days after the date of the enact-
17 ment of this Act and annually for each of the five years
18 thereafter, the Secretary of State shall submit to the ap-
19 propriate congressional committees a report on the imple-
20 mentation of this Act. The report shall include detailed
21 information on the following:

22 (1) Any steps taken to establish a Response
23 Readiness Corps and a Civilian Reserve Corps, pur-
24 suant to section 62 of the State Department Basic

1 Authorities Act of 1956 (as added by section 5 of
2 this Act).

3 (2) The structure, operations, and cost of the
4 Response Readiness Corps and the Civilian Reserve
5 Corps, if established.

6 (3) How the Response Readiness Corps and the
7 Civilian Reserve Corps coordinate, interact, and
8 work with other United States foreign assistance
9 programs.

10 (4) An assessment of the impact that deploy-
11 ment of the Civilian Reserve Corps, if any, has had
12 on the capacity and readiness of any domestic agen-
13 cies or State and local governments from which Ci-
14 vilian Reserve Corps personnel are drawn.

15 (5) The reconstruction and stabilization strat-
16 egy required by section 7 and any annual updates to
17 that strategy.

18 (6) Recommendations to improve implementa-
19 tion of subsection (b) of section 62 of the State De-
20 partment Basic Authorities Act of 1956, including
21 measures to enhance the recruitment and retention
22 of an effective Civilian Reserve Corps.

- 1 (7) A description of anticipated costs associated
- 2 with the development, annual sustainment, and de-
- 3 ployment of the Civilian Reserve Corps.

Passed the House of Representatives March 5,
2008.

Attest:

Clerk.

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